

Rodney T. Buttars
BUTTARS LAW OFFICES, CHARTERED
University Plaza
960 Broadway Ave.Suite 415
P.O. Box 190166
Boise, Idaho 83719
Telephone: (208) 345-3777
Facsimile: (208) 345-4344

Attorney for Debtor

U.S. COURTS
FEB 22 PM 3:59
CLERK OF COURT
JAMES S. BURKE
IDAHO

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In re)	
)	
WOODS, JANICE ELAINE,)	Case No. 99-00276
)	
)	FIRST AMENDED
Debtors)	CHAPTER 13 PLAN
)	
)	
)	
_____)	

1. The future earnings and income of the debtor is submitted to the supervision and control of the Chapter 13 Trustee for the duration of this plan. Debtor will pay to the trustee the sum of \$143.00 for 60 months. In addition, debtors shall pay to the trustee all tax refunds, other than earned income credits, received during the term of Plan.

2. From payments so received, the trustee shall make disbursements as follows:

A. **PROVISIONS FOR PRIORITY CREDITORS:** Full payment of allowed claims entitled to priority under 11 USC § 507 in deferred cash payments as follows:

(1) Fees to the Trustees as provided by 11 USC § 1302(e) together with any noticing fees;

(2) Allowed unsecured priority claims in (60) unequal installments.

IRS	1997 (1040)	\$ 198.44
	1998 (1040)	\$ 207.78
	1995 (1040)	\$ 1,517.03

State of Idaho	1998	\$ 685.26
----------------	------	-----------

B. PROVISIONS FOR CREDITORS HOLDING SECURED CLAIMS:

(1) **Secured Claims Paid by the Plan.** To each of the below named creditors, the full value of their allowed secured claim shall be paid, provided a timely allowed claim is filed. Any portion of the claim in excess of the allowed value of the collateral will be treated and paid by the trustee as an unsecured claim. **Each creditor holding an allowed secured claim shall retain their lien on the collateral securing the claim until the allowed secured value has been paid at which time the lien will be released.** The allowed secured value is defined as the value of the collateral amortized at the rate of interest and over the number of payments as set forth in the plan as confirmed. Payments on secured claims shall commence upon the confirmation of the plan and filing of an allowed secured claim. Values to be used to determine the allowed secured value are:

<u>CREDITOR</u>	<u>DESC. OF COLLATERAL</u>	<u>VALUE OF COLLATERAL</u>	<u>RATE OF INTEREST</u>	<u>NUMBER OF MONTHLY PAYMENTS</u>	<u>MONTHLY PAYMENT</u>
Key Bank	1991 Geo Metro	\$400.00	7%	60	\$ 8.11
Viking Credit	Sewing machine	\$1,000.00	7%	60	\$20.28
Ada County	Property taxes	\$779.43	12%	60	\$17.33
Ada County	Medical lien	\$1,500.00	12%	60	\$33.37

(2) **Lien avoidance of creditors holding claims, exceeding allowed secured value.**

To the extent that a lien secures a claim against the debtors that is not an allowed secured claim, such lien is void pursuant to 11 U.S.C. § 506(d) and shall be avoided upon confirmation of this plan. These creditors include:

<u>CREDITOR</u>	<u>COLLATERAL</u>
Ada County	All personal property

(3) **Long term secured claims.** Where the debtors do not propose to pay, in full, the allowed secured claim during the term of the plan, the creditors shall retain their lien until the allowed secured claim is paid in full. The following creditors shall be paid their regular monthly payments directly by the Trustee.

<u>CREDITOR</u>	<u>REGULAR MO.PMT.</u>
None	

(2) **Cure of Defaults.** The Debtors will cure defaults as follows.

<u>CREDITOR</u>	<u>TOTAL AMT. IN DEFAULT</u>	<u>RATE OF INTEREST</u>	<u>NO. OF MONTHS TO CURE DEFAULT</u>	<u>MONTHLY PAYMENT</u>
NONE				

(3) **Surrender of collateral.** The debtors will surrender the following collateral securing allowed secured claims:

<u>CREDITOR</u>	<u>COLLATERAL TO BE SURRENDERED</u>
None	

(4) **Lien avoidance on exempt property pursuant to 11 U.S.C. § 522(f).** The following creditors hold liens on property of the debtors which liens are either judicial liens or nonpossessory nonpurchase-money security interest in:

- i) household furnishings, household goods, wearing apparel, appliances, books, animals, crops, musical instruments, or jewelry that are held primarily for the personal, family, or household use of the debtors or a dependent of the debtors;
- ii) implements, professional books, or tools, of the trade of the debtors or the trade of a dependent of the debtors; or
- iii) professionally prescribed health aids for the debtors or a dependent of the debtors.

Pursuant to 11 U.S.C. § 522(f) and upon confirmation of this plan such liens are avoided on the below mentioned property to the extent that they impair an exemption allowed to the debtors under Idaho State Law.

<u>CREDITOR</u>	<u>EXEMPT PROPERTY</u>
none	

(5) **Secured creditors to be paid directly by Debtors.** The following named secured creditors will not receive payment from the Trustee. The debtors will be the disbursing agent and will pay them directly as follows:

<u>CREDITOR</u>	<u>COLLATERAL</u>
Washington Mutual	Mobile home pmt (post petition payments)
Ada County Prop. Taxes	Mobile home (post-petition 2000 Personal property taxes etc)

C. PROVISIONS FOR UNSECURED CLAIMS.

(1) **General Unsecured Claims.** Ninety days after the 341(a) meeting of creditors, the Trustee will, from funds available after payment of priority and secured claims, pay pro-rata dividends, to all creditors of the same class, who have filed timely allowed unsecured claims.

(2) **Classification of Unsecured Claims.** The following unsecured claims will be paid as set forth below provided the creditors file timely proofs of claims:

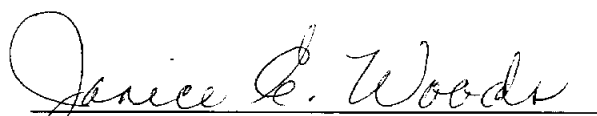
<u>Creditor</u>	<u>Amount</u>	<u>No. of Payments</u>
-----------------	---------------	------------------------

1. Co-signed: None
2. Delinquent Support:
3. Others - Pro- rata

D. ASSUMPTION OR REJECTION OF UNEXPIRED LEASES OR EXECUTORY CONTRACTS. The debtors assume or reject the following unexpired leases and/or executory contracts in accordance with 11 USC 365:

Mobile Home Park Space Lease - Accepted

DATED: April 16, 1999


Janice Woods - Debtor